PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, DECEMBER 27 19 83

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING December 27 A.D., 19 83, IN Regular SESSION. PRESIDENT Ben A. Eisbart IN THE CHAIR, AND David B. Keller, Council Attorney Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS VIZ:

BRADBURY P, BURNS P, EISBART P,
GiaQUINTA P, SCHMIDT P, SCHOMBURG P,
SCRUGGS P, STIER P, TALARICO P,

ABSENT

COUNCILMAN _____, _____, _____,
_____, _____, _____,

THE INVOCATION WAS GIVEN BY _____

_____

RECEIVED REPORT FROM THE CITY CONTROLLER FOR THE MONTH OF _____, 19____. MOTION MADE AND CARRIED THAT REPORT BE MADE A MATTER OF RECORD AND PLACED ON FILE.

THE MINUTES OF THE LAST REGULAR _____, 19___,
_____, 19___,
SPECIAL _____, 19___,
SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 27th day of December, 19 83 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19_____.

_____

City Clerk

The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

1 December 1983

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated portion of street.

The proposed ordinance is designated as:

BILL NO. G-83-11-34

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
1st day of December 1983.

Stephen A. Bailey
Secretary

The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

1 December 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) portion of a street vacation ordinance acted upon by the City Plan Commission at their regular meeting held November 28, 1983. In addition to hte reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-83-11-34

2. Intended Use: Vacated right-of-way will be utilized by the abutting property owners and is presently being maintained by them.

3. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

REASON: The approval of this vacation will not interfere with public utilities if the necessary easements are retained.

If there are any questions with regard to this ordinance, please feel free to call on us.

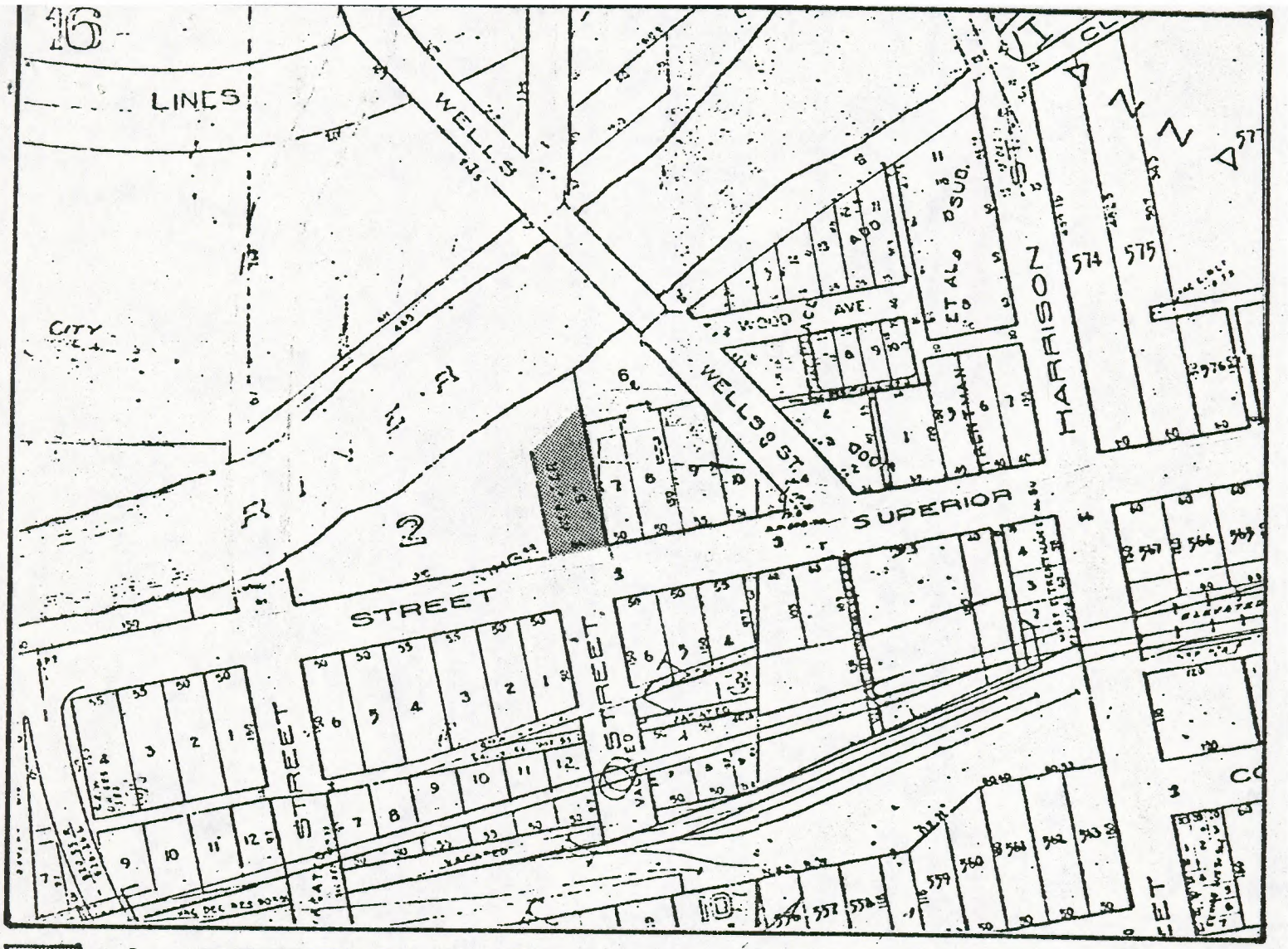
Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments



A PETITION TO VACATE A PORTION OF WEBSTER STREET.

MAP NO. L-6

6-83-11-34

N

8-19-83

RESOLUTION 73-235-28 12/7/83

WHEREAS, NOWAK & WILLIAMS SUPPLY CO., INC., has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public street situated in Fort Wayne, Allen County, to-wit:

> The 210 feet of Webster Street running from the St. Mary's River to West Superior Street adjacent to Lots Numbered 6 and 7, all in block number one, Ewing's Addition to the City of Fort Wayne, Allen County, Indiana

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of portion of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Stephen A. Bailey, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held December 7, 1983, and as same appears of record in the official records of said Board of Public Works.

DATED THIS 7th DAY OF December 1983

FORT WAYNE BOARD OF PUBLIC WORKS

Stephen A. Bailey, Chairman

Betty R. Collins, Member

Jack Wilson, Sr., Member

R E S O L U T I O N

WHEREAS, NOWAK & WILLIAMS SUPPLY CO., INC., has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public street in Fort Wayne, Allen County, to-wit:

> The 210 feet of Webster Street running from the St. Mary's River to West Superior Street adjacent to Lots Numbered 6 and 7 and all in block number one, Ewing's Addition to the City of Fort Wayne, Allen County, Indiana

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on November 21, 1983, at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of public street.

WHEREAS, said vacation of the street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said portion of street in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Stephen A. Bailey, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held November 28, 1983, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 1st DAY OF December 1983

FORT WAYNE CITY PLAN COMMISSION

Stephen A. Bailey, Secretary

The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

1 December 1983

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated utility easement.

The proposed ordinance is designated as:

BILL NO. G-83-11-32

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
1st day of December 1983.

Stephen A. Bailey
Secretary

The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

1 December 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) utility easement vacation ordinance acted upon by the City Plan Commission at their regular meeting held November 28, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-83-11-32

2. Intended Use: Vacated right-of-way will be used to build a carport on.

3. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   REASON: There have been no objections from adjacent property owners or public utilties.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

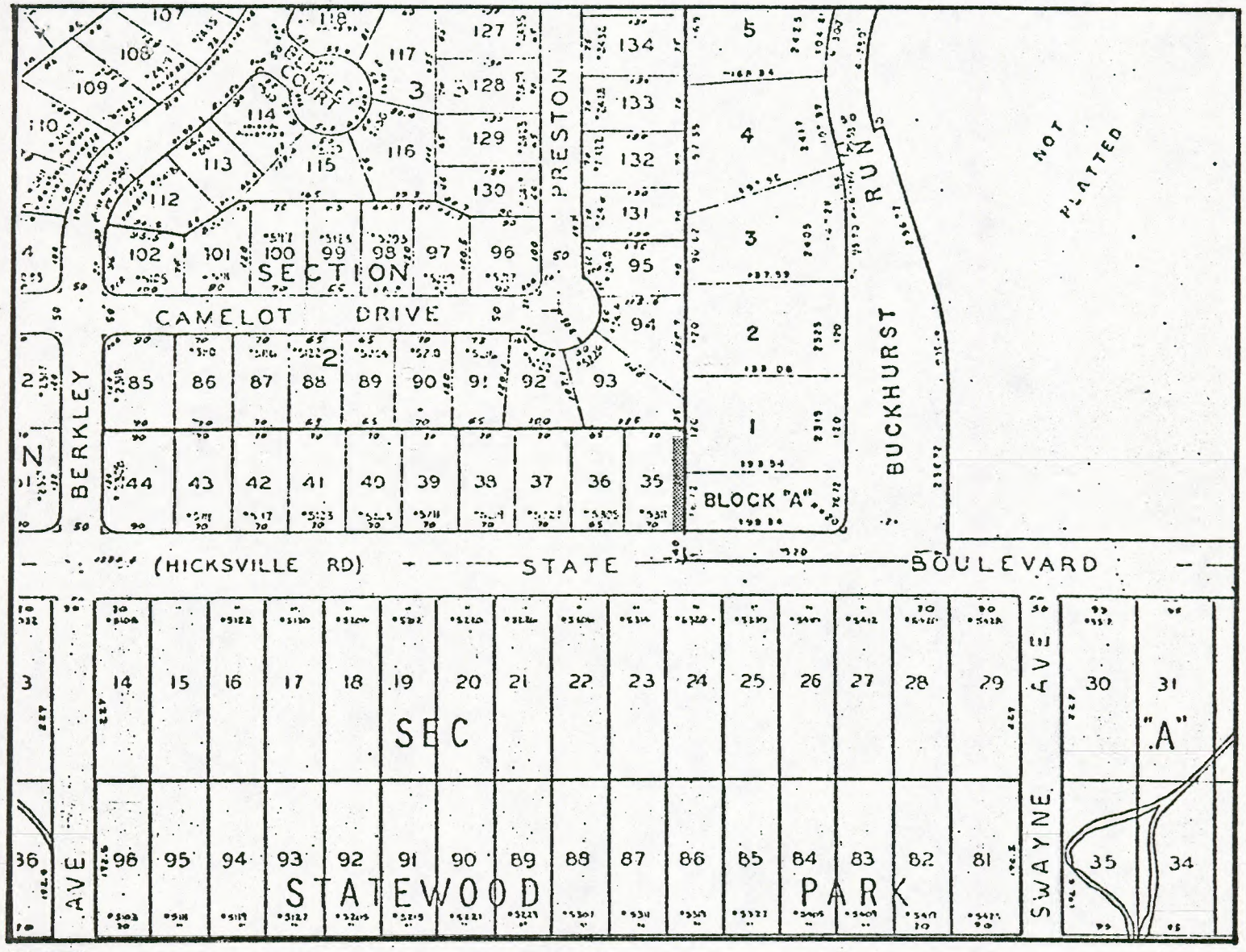
COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

Attachments



A PETITION TO VACATE THE DESCRIBED EASEMENT SHOWN ABOVE.

MAP NO. T-18

N

6-83-11-32

12/7/83

R E S O L U T I O N 73-236-31

WHEREAS, ALAN GRIEBEL has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public utility easement situated in Fort Wayne, Allen County, to-wit:

14 foot easement on the east edge of Lot #35, Summit Ridge Addition, except for the North 10 feet of said easement

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public easement or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Stephen A. Bailey, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held December 7, 1983 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 7th DAY OF December 1983

FORT WAYNE BOARD OF PUBLIC WORKS

Stephen A. Bailey, Chairman

Betty R. Collins, Member

Jack Wilson, Sr.
Jack Wilson, Sr.

R E S O L U T I O N

WHEREAS, ALAN GRIEBEL has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public utility easement in Fort Wayne, Allen County, to-wit:

14 foot easement on the east edge of Lot #35, Summit Ridge Addition, except for the North 10 feet of said easement

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on November 21, 1983 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public easement.

WHEREAS, said vacation of the easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utilitiy shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of easement in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Stephen A. Bailey, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held November 28, 1983, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 1st DAY OF December 1983

FORT WAYNE CITY PLAN COMMISSION

Stephen A. Bailey, Secretary

The City of Fort Wayne
DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

1 December 1983

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated portion of street.

The proposed ordinance is designated as:

BILL NO. G-83-11-33

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
1st day of December 1983.

Stephen A. Bailey
Secretary

The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

1 December 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) street vacation ordinance acted upon by the City Plan Commission at their regular meeting held November 28, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-83-11-33

2. Intended Use: Vacated right-of-way will be utilized by the abutting property owners, property is presently being maintained by them.

3. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

REASON: The granting of this vacation will not be injurious to the public health, safety, and welfare of the community.

If there are any questions with regard to this ordinance, please feel free to call on us.

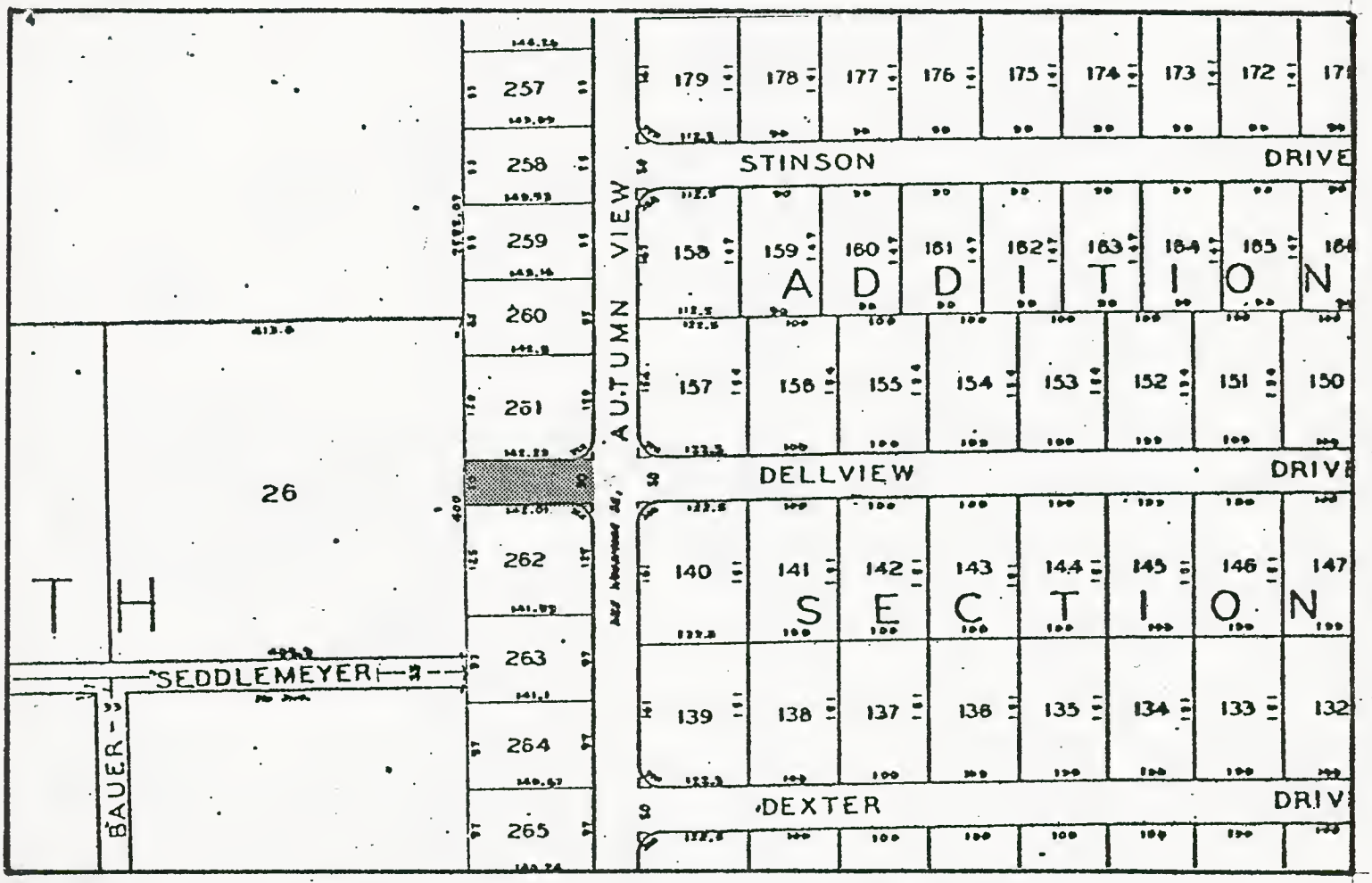
Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments



A PETITION TO VACATE THE ABOVE DESCRIBED PORTION OF PUBLIC STREET.

6-83-11-33

MAP NO. Q-27

N

8-18-83

R E S O L U T I O N

WHEREAS, SCOTT & DEBBY KUHN and ROBERT & JUDITH POWELL have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public portion of street in Fort Wayne, Allen County, to-wit:

A 50' x 142' 01" portion of Dellview Drive, Eastland Gardens Addition - Section "B" to the City of Fort Wayne, Indiana said portion described above borders Lots 262 & 261

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on November 21, 1983, at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

WHEREAS, said vacation of the street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said street in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Stephen A. Bailey, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held November 28, 1983, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 1st DAY OF December 1983

FORT WAYNE CITY PLAN COMMISSION

Stephen A. Bailey, Secretary

12/7/83

R E S O L U T I O N 73-236-32

WHEREAS, SCOTT & DEBBY KUHN and ROBERT & JUDITH POWELL have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public portion of the street in Fort Wayne, Allen County, to-wit:

A 50' x 142' 01" portion of Dellview Drive, Eastland Gardens Addition - Section "B" to the City of Fort Wayne, Indiana said portion described above borders Lots 262 & 261

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public street has been routed throug the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be not deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Stephen A. Bailey, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held December 7, 1983 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 7th DAY OF December 1983

FORT WAYNE BOARD OF PUBLIC WORKS

Stephen A. Bailey, Chairman

Betty R. Collins, Member

Jack Wilson Sr.
Jack Wilson, Sr., Member

THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

21 December 1983

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment to the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-83-10-21

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
21st day of December 1983.

Stephen A. Bailey
Secretary

AN EQUAL OPPORTUNITY EMPLOYER

THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

21 December 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held December 19, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involve.

1. Bill No. Z-83-10-21

2. From RA to M1

3. Intended Use: Industrial Park

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   This request is not compatible with the Comprehensive Plan.

If there are any questions with regard to this ordinance, please feel free to call on us.

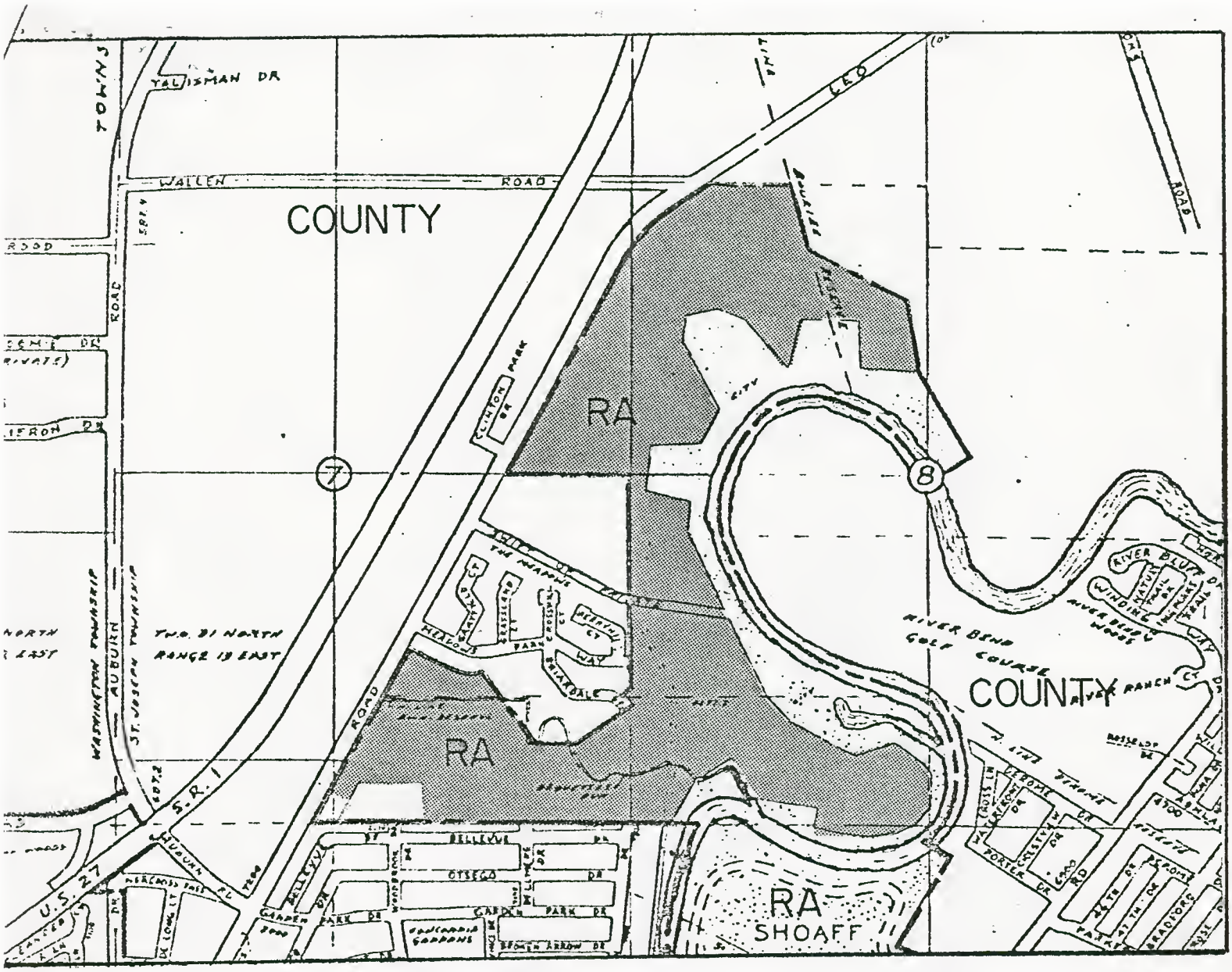
Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments



☐ A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN RA TO A MI DISTRICT.

MAP NO. R-46

N

Z-83-10-21

10-5-83

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 25, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-10-21; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 17, 1983;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Finding of Fact":

(1) the grant will be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 19, 1983.

Certified and signed this
21st day of December 1983.

Stephen A. Bailey
Secretary

THE CITY OF FORT WAYNE

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

21 December 1983

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-83-11-31

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
21st day of December 1983.

Stephen A. Bailey
Secretary

THE CITY OF FORT WAYNE

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

21 December 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission zt their regular meeting held December 19, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-83-11-31

2. From B-1-B to B-3-B

3. Intended Use: Conversion work on "specialty" cars.

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   a. The value of the area adjacent to this property will be affected in a substantially adverse manner.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

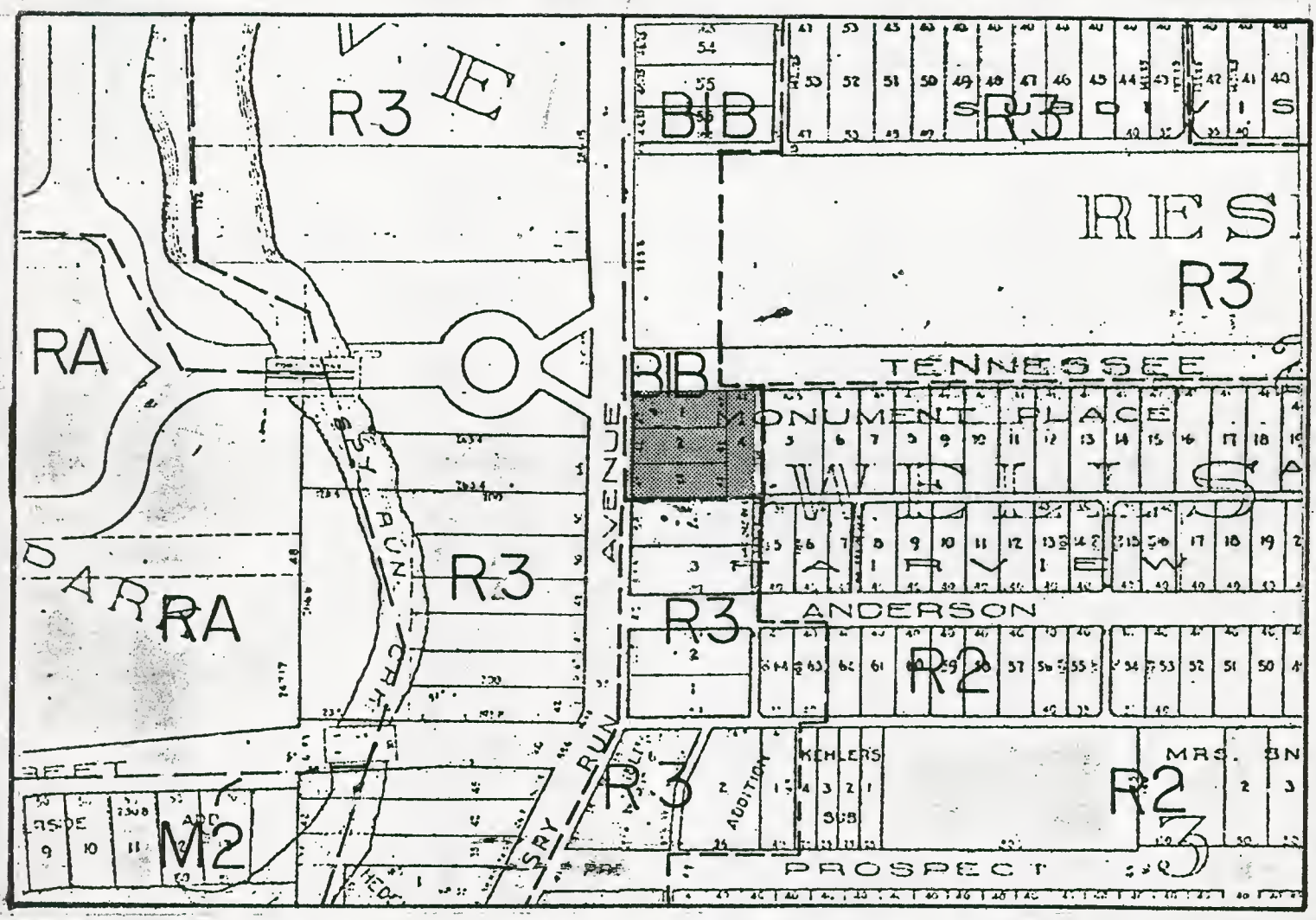
COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

Attachments



A PETITION TO AMEND THE ZONING MAP BY RE-CLASSIFYING DESCRIBED PROPERTY FROM A B1B TO A B3B DISTRICT.

MAP NO. M-10

Z-83-11-31

N

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 22, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-11-31; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 21, 1983;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Finding of Fact":

(1) the grant will be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 19, 1983.

Certified and signed this
21st day of December 1983.

Stephen A. Bailey
Secretary

THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

21 December 1983

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-83-12-33

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
21st day of December 1983.

Stephen A. Bailey
Secretary

THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

21 December 1983

Members of the Common Council
City-County Building
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held December 19, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-83-12-33

2. From R-1 to R-3

3. Intended Use: Dentist's Office

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reasons:

   a. The granting of this rezoning request constitutes spot zoning.

   b. The use or value of the area adjacent to the property included in this rezoning will be adversely affected by allowing non-residential uses into a residential subdivision.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

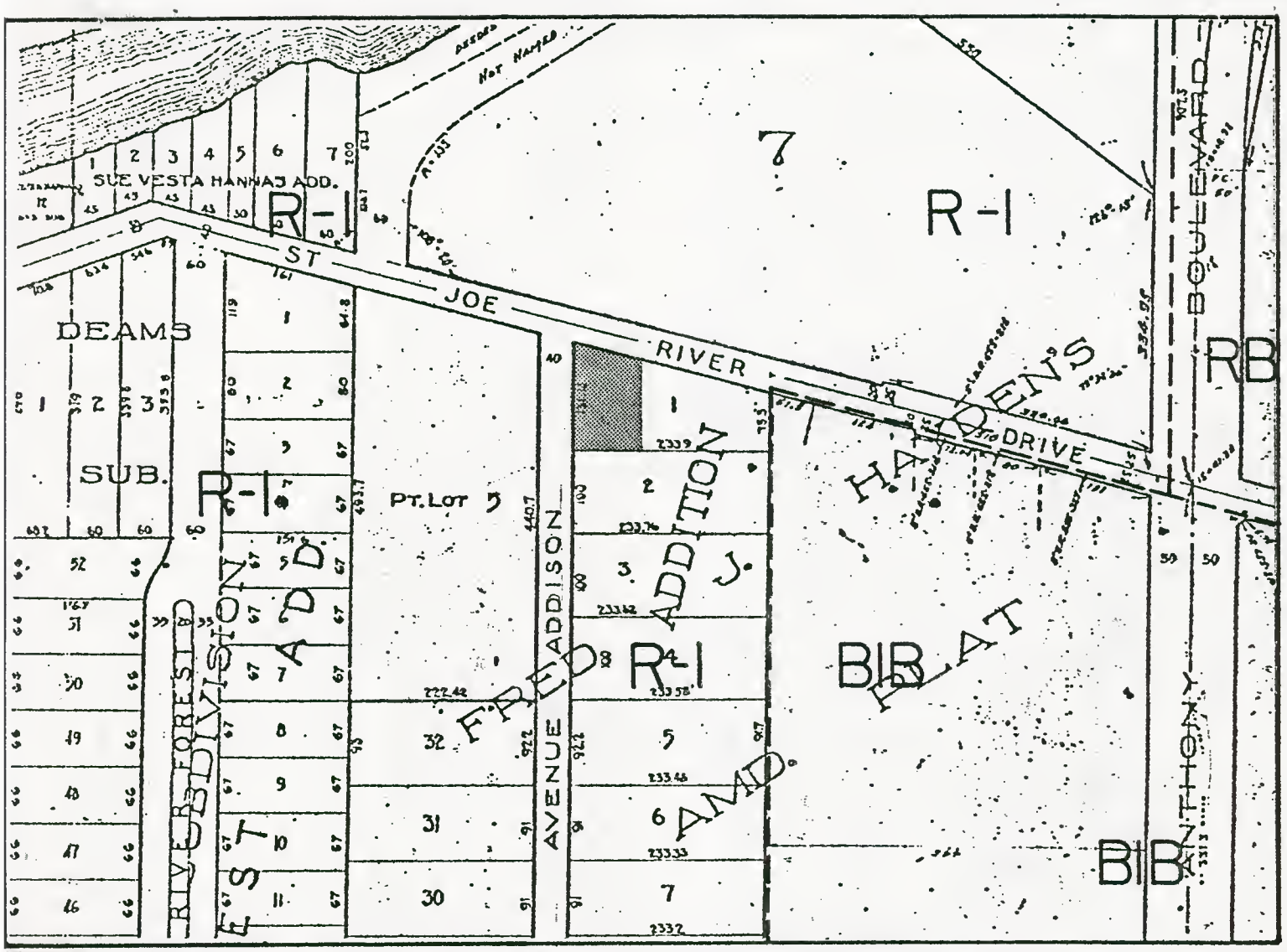
Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER



A PETITION TO AMEND THE ZONING MAP BY RE-CLASSIFYING DESCRIBED PROPERTY FROM AN R-1 TO AN R-3 DISTRICT.

N

MAP NO. O-22

Z-83-12-33

11-16-83

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 13, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-12-33; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on December 12, 1983;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Finding of Fact":

(1) the grant will be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use of value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 19, 1983.

Certified and signed this
21st day of December 1983.

Stephen A. Bailey
Secretary

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 156/83/E
157/83/E
158/83/E
159/83/E
160/83/E
161/83/E
162/83/E
163/83/E
164/83/E
165/83/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Nick Palermo

Nick Palermo, Chairman

RETURN CERTIFICATE

(Regulatory Resolution No. 156/83/E, 157/83/E, 158/83/E, 159/83/E, 160/83/E, 161/83/E, 162/83/E, 163/83/E, 164/83/E, 165/83/E)

I hereby certify that I did this 21st day of December, 19 83 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. (see above) of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Nick Paleveda

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 156/83/E

(Adopted December 21, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 128/83/E: NO PARKING (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 21, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Lewis Street -- north side -- from Ewing Street to Harrison Street

Lewis Street -- south side --from Harrison Street to McClellan Street

REGULATORY RESOLUTION NO. 157/83/E

(Adopted December 21, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 129/83/E: NO PARKING (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 21, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Wallace Street -- north side -- from 80 ft. east of Lafayette Street to 70 ft. east thereof

REGULATORY RESOLUTION NO. 158/83/E

(Adopted December 21, 1983)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 130/83/E: NO PARKING (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 1983, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 21, 1983, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Lewis Street -- south side -- from Ewing Street to the first alley east thereof

REGULATORY RESOLUTION NO. 159/83/E

(Adopted December 21, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 132/83/E: IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 21, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

Degroff Street	-- east side	-- from 96 ft. north of Polk Street to 20 ft. north thereof
Pemberton Drive	-- west side	-- from 233 ft. south of State Boulevard to 20 ft. south thereof
Tecumseh Street	-- west side	-- from 30 ft. south of Lake Avenue to 25 ft. south thereof

REGULATORY RESOLUTION NO. 160/83/E

(Adopted December 21, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 133/83/E: IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY).

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 21, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

Glenbrook Square -- 4201 Coldwater Rd.	Aerial maps locating each parking stall available in Traffic Engineering Office (36 parking stalls tota
Jack & Johnny's Inc. -	From 10 ft. west of the southwest corner of High Street & Wells St. to 28 ft. west thereof (2 parking stalls total)
K-Mart East -- 820 N. Coliseum Boulevard	from 424 ft. east of the east property line of Coliseum Blvd. at their access point to 337 ft. north thereof (2 parking stalls total)
Lambro's Restaurant - 303 E. Tillman Road	from a point 160 ft. north from the north curb line of Tillman Road (1 parking stall)
Pro Bowl West - 1455 Goshen Avenue	from a point 860 ft. south of the south property line of Goshen Avenue (2 parking stalls total)
United States Post Office (Main Office) - 1501 South Clinton St.	from a point 58 ft. east from the east curb of Clinton Street at their access poi to 135 ft. south thereof (2 parking stalls tota
Y.W.C.A., 2000 Wells Street	-- from 228 ft. east of the east curb of Wells Street at their exit (1 parking stall); from 220 ft. south of the southeast corner of Cass Street and Jacobs Street (1 parking stall)

REGULATORY RESOLUTION NO. 161/83/E

(Adopted December 21, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 135/83/E: SPEED LIMIT 25 MPH WHEN CHILDREN PRESENT (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 21, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

SPEED LIMIT 25 MPH WHEN CHILDREN PRESENT (EMERGENCY)

Hoagland Avenue -- from -- Pontiac Street to Wildwood Avenue

REGULATORY RESOLUTION NO. 162/83/E

(Adopted December 21, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 136/83/E: PARKING PERMITTED IN NO PARKING ZONE (CHURCH ORDINANCE) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 21, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PARKING PERMITTED IN NO PARKING ZONE (CHURCH ORDINANCE) (EMERGENCY)

Dewald Street -- north side -- from Harrison Street to Webster Street on the following days and times Monday thru Friday, 8:00 a.m. Saturdays 8:00 a.m. and 5:30 p.m. Sunday 8:00 a.m. and 10:00 a.m. Special Celebration Days and Events

REGULATORY RESOLUTION NO. 163/83/E

(Adopted December 21, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 137/83/E: STOP INTERSECTION (EMERGENCY) and DELETE: STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 21, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Cumberland Avenue -- stop -- for Parkhill Avenue

DELETE: STOP INTERSECTION (EMERGENCY))

Parkhill Avenue -- stop -- for Cumberland Avenue

REGULATORY RESOLUTION NO. 164/83/E

(Adopted December 21, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 139/83/E: STOP INTERSECTION (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 21, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Arlington Avenue -- stop -- for Maple Grove Avenue

REGULATORY RESOLUTION NO. 165/83/E

(Adopted December 21, 1983)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 21, 1983, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 21, 1983, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

Don Hall's Canterbury House 3232 St. Joe Center Road	-- from a point 150 ft. south of the south curb line of St. Joe Center Road (1 parking stall)
Summit Health Care Center Arata Medical Building 3301 Lake Avenue	-- from a point 200 ft. north of the north curb line of Lake Avenue (5 parking stalls)

MOTION PASSED BY THE FORT WAYNE CITY COUNCIL

ACTING AS COMMITTEE OF THE WHOLE

IN COMMITTEE SESSION ON DECEMBER 13, 1983

Pursuant to the requested rate increase by Cox Cable of Fort Wayne, the City Council has passed a motion granting Cox Cable one half of the requested increase after reducing the request by the cost of a material addition to the user's hardware not to be supplied and not affecting the financial performance of Cox. The remainder of the requested increase not approved will be taken under consideration by the Council after an independent audit and recommendation from an accounting firm retained through the Council with funds appropriated by the city administration from the Cable Television Fund. The audit is to be completed by not more than thirty days after funding appropriation so that the Council may act on the total requested rate increase by the February date at which the approved increase is to take effect.

The figures are as follows:

Requested increase	$ 3.45
Less material hardware not to be supplied	$ .35
Adjusted requested increase	$ 3.10
Increase approved (one half of adjusted requested increase)	$ 1.55
Remaining adjusted requested increase to be considered by Council after recommendation by independent accounting firm	$ 1.55